

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 301490.1001-110	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 03/ 15328	International filing date (day/month/year) 02/05/2003	(Earliest) Priority Date (day/month/year) 28/05/1999
Applicant E-MONITORS, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 6 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

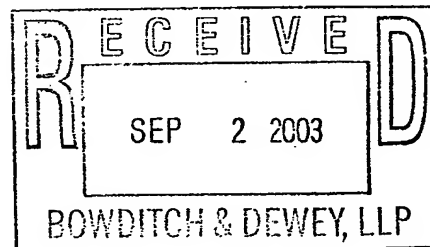
2. ☒ **Certain claims were found unsearchable** (See Box I).

3. ☒ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:



5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☒ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

11
☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/15328

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61B5/00 G01N33/49 A01N1/02 A61B17/00 G01N27/416
 G01N33/487 A61B5/042 A61M1/36 A61M5/172

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61B G01N A01N A61M

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4 562 846 A (FERGUSON JR T BRUCE ET AL) 7 January 1986 (1986-01-07) abstract column 8, line 15 -column 10, line 54; figure 4 ---	1-39, 69-89
A	✓ FR 2 744 804 A (ELECTROLUX SARL) 14 August 1997 (1997-08-14) abstract ---	1-39, 69-89
A	✓ US 4 717 548 A (LEE ALBERT K) 5 January 1988 (1988-01-05) abstract ---	3-6, 15-18,79
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

21 August 2003

Date of mailing of the international search report

29/08/2003

Name and mailing address of the ISA

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Authorized officer

Moers, R

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 03/15328

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 588 816 A (THOMPSON THOMAS C ET AL) 31 December 1996 (1996-12-31) abstract column 3, line 46 -column 5, line 18; figure 1 -----	3-6
A	US 5 573 502 A (THOMPSON THOMAS C ET AL) 12 November 1996 (1996-11-12) abstract; figures 1-3 -----	3-6, 69, 75
A	WO 99 08589 A (HAEGGBLOM TOM ;INSTRUMENTARIUM OY (FI)) 25 February 1999 (1999-02-25) abstract; figures 2-5 -----	75-89
A	US 5 899 867 A (COLLURA THOMAS F) 4 May 1999 (1999-05-04) abstract; figures 3-10 -----	75-89

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-39, 69-74

Tissue monitoring system

2. Claims: 75-89

Graphical user display

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US 03/15328

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: **40-68**
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Diagnostic method practised on the human or animal body and method for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☒ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members.

International Application No

PCT/US 03/15328

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 4562846	A	07-01-1986	NONE	
FR 2744804	A	14-08-1997	FR 2744804 A1 US 6023630 A	14-08-1997 08-02-2000
US 4717548	A	05-01-1988	NONE	
US 5588816	A	31-12-1996	US 5385540 A DE 69430030 D1 DE 69430030 T2 EP 0643976 A2 JP 7136275 A US 5645531 A US 5573502 A US RE36386 E	31-01-1995 11-04-2002 24-10-2002 22-03-1995 30-05-1995 08-07-1997 12-11-1996 09-11-1999
US 5573502	A	12-11-1996	US 5385540 A DE 69430030 D1 DE 69430030 T2 EP 0643976 A2 JP 7136275 A US 5645531 A US 5588816 A US RE36386 E	31-01-1995 11-04-2002 24-10-2002 22-03-1995 30-05-1995 08-07-1997 31-12-1996 09-11-1999
WO 9908589	A	25-02-1999	FI 973424 A WO 9908589 A1	21-02-1999 25-02-1999
US 5899867	A	04-05-1999	NONE	